18-30-01

Practitioner's Docket No.

**PATENT** 



Preliminary Classification:

Proposed Class:

Subclass:

NOTE:

"All applicants are requested to include a preliminary classification on newly filed patent applications. The preliminary classification, preferably class and subclass designations, should be identified in the upper right-hand corner of the letter of transmittal accompanying the application papers, for example 'Proposed Class 2, subclass 129." M.P.E.P. § 601, 7th ed.

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Box PATENT APPLICATION Assistant Commissioner for Patents Washington, D.C. 20231

#### **NEW APPLICATION TRANSMITTAL**

Transmitted herewith for filing is the patent application of

Inventor(s): Andrew Raymond Bick

**WARNING:** 37 C.F.R.§ 1.41(a)(1) points out:

"(a) A patent is applied for in the name or names of the actual inventor or inventors.

"(1) The inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by § 1.63, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship is that inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under this paragraph accompanied by the fee set forth in § 1.17(I) is filed supplying or changing the name or names of the inventor or inventors."

For (title): USER INTERFACE DEVICE

### **CERTIFICATION UNDER 37 C.F.R. § 1.10\***

(Express Mail label number is mandatory) (Express Mail certification is optional.)

I hereby certify that this New Application Transmittal and the documents referred to as attached therein are being deposited with the United States Postal Service on this date, August 29, 200,1 in an envelope as EL762541380US "Express Mail Post Office to Addressee," mailing Label Number addressed to the: Assistant Commissioner for Patents, Washington, D.C. 20231.

Judith Schick

mailing paper) (type or print name of perso,

Signature of person mailing paper

**WARNING:** Certificate of mailing (first class) or facsimile transmission procedures of 37 C.F.R. § 1.8 cannot be used to obtain a date of mailing or transmission for this correspondence.

Each paper or fee filed by "Express Mail" must have the number of the "Express Mail" mailing

label placed thereon prior to mailing. 37 C.F.R. § 1.10(b).

Since the filing of correspondence under § 1.10 without the Express Mail mailing label thereon is an oversight that can be avoided by the exercise of reasonable care, requests for waiver of this requirement will not be granted on petition." Notice of Oct. 24, 1996, 60 Fed. Reg. 56,439, at

56,442.

**WARNING:** 

(New Application Transmittal [4-1] page 1 of 11)

### 1. Type of Application

This n	ew ar	plication	is	for	a(n)	١
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(check one applicable item below)

		(Silver and applicable item below)
X	Original (nonprovisional)	
	Design	
	□ Plant	

WARNING

"Do not use this transmittal for a completion in the U.S. of an International Application under 35 U.S.C. § 37(c)(4), unless the International Application is being filed as a divisional, continuation or continuation-in-part application.

WARNING: Do not use this transmittal for the filing of a provisional application.

NOTE: If one of the following 3 items apply, then complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF A PRIOR U.S. APPLICATION CLAIMED and a NOTIFICATION IN PARENT APPLICATION OF THE FILING OF THIS CONTINUATION APPLICATION.

	Divisional
ш	Continuation
	Continuation-in-part (C-I-P)

## 2. Benefit of Prior U.S. Application(s) (35 U.S.C. §§ 119(e), 120, or 121)

NOTE: A nonprovisional application may claim an invention disclosed in one or more prior filed copending nonprovisional applications or copending international applications designating the United States of America. In order for a nonprovisional application to claim the benefit of a prior filed copending nonprovisional application or copending international application designating the United States of America, each prior application must name as an inventor at least one inventor named in the later filed nonprovisional application and disclose the named inventor's invention claimed in at least one claim of the later filed nonprovisional application in the manner provided by the first paragraph of 35 U S.C. § 112. Each prior application must also be:

- (i) An international application entitled to a filing date in accordance with PCT Article 11 and designated the United States of America; or
- (ii) Complete as set forth in § 1.51(b); or
- (iii) Entitled to a filing date as set forth in § 1.53(b) or § 1.53(d) and include the basic filing fee set forth in § 1.16; or
- (iv) Entitled to a filing date as set forth in § 1.53(b) and have paid therein the processing and retention fee set forth in § 1.21(l) within the time period set forth in § 1.53(f).

37 C.F.R. § 1.78(a)(1).

NOTE: If the new application being transmitted is a divisional, continuation or a continuation-in-part of a parent case, or where the parent case is an International Application which designated the U.S., or benefit of a prior provisional application is claimed, then check the following item and complete and attach ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.

WARNING: If an application claims the benefit of the filing date of an earlier filed application under 35 U.S.C. §§ 120, 121 or 365(c), the 20-year term of that application will be based upon the filing date of the earliest U.S. application that the application makes reference to under 35 U.S.C. §§ 120,121 or 365(c). (35 U.S.C. § 154(a)(2) does not take into account, for the determination of the patent term, any application on which priority is claimed under 35 U.S.C. §§ 199, 365(a) or 365(b).) For a c-i-p application, applicant should review whether any claim in the patent that will issue is supported by an earlier application and, if not, the applicant should consider canceling the reference to the earlier filed application. The term of a patent is not based on a claim-by-claim approach. See Notice of April 14, 1995, 60 Fed. Reg. 20,195, at 20,205.

purposes.)

WARNING:		When the last day of pendency of a provisional application falls on a Saturday, Sunday, or Federal holiday within the District of Columbia, any nonprovisional application claiming benefit of the provisional application <b>must</b> be filed prior to the Saturday, Sunday, or Federal holiday within the District of Columbia. See 37 C.F.R. § 1.78(a)(3).
		The new application being transmitted claims the benefit of prior U.S. application(s). Enclosed are ADDED PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION(S) CLAIMED.
3.	Papers	Enclosed
	(De <u>5</u> Pa <u>3</u> Pa	quired for filing date under 37 C.F.R. § 1.53(b) (Regular) or 37 C.F.R. § 1.153 esign) Application ges of specification ges of claims eets of drawings
	WARNIN	G: DO NOT submit original drawings. A high quality copy of the drawings should be supplied when filing a patent application. The drawings that are submitted to the Office must be on strong, white, smooth, and non-shiny paper and meet the standards according to § 1.84. If corrections to the drawings are necessary, they should be made to the original drawing and a high-quality copy of the corrected original drawing then submitted to the Office. Only one copy is required or desired. For comments on proposed then-new 37 C.F.R. § 1.84, see Notice of March 9, 1988 (1990 O.G. 57-62).
	NOTE:	"Identifying indicia, if provided, should include the application number or the title of the invention, inventor's name, docket number (if any), and the name and telephone number of a person to call if the Office is unable to match the drawings to the proper application. This information should be placed on the back of each sheet of drawing a minimum distance of 1.5 cm (5/8 inch) down from the top of the page " 37 C.F.R. § 1.84(c)).
		(complete the following, if applicable)
		The enclosed drawing(s) are photograph(s), and there is also attached a "PETITION TO ACCEPT PHOTOGRAPH(S) AS DRAWING(S)." 37 C.F.R. § 1.84(b).
		The enclosed drawing(s) are in color. Three (3) sets of color drawings and a "PETITION TO ACCEPT COLOR DRAWING(S)" are attached. 37 C.F.R. §§ 1.84(a)(2) and 1.84(b).
		formal informal
	B. Oth	er Papers Enclosed
	_1Pa	ges of declaration and power of attorney ges of abstract ner <u>(title page)</u>
4.	Additio	nal papers enclosed
	□ Ame	endment to claims
	☐ Car	cel in this application claimsbefore calculating the g fee. (At least one original independent claim must be retained for filing

Add the claims shown on the attached amendment. (Claims added have been numbered consecutively following the highest numbered original claims.)

X

	Preliminary Amendment
X	Information Disclosure Statement (37 C.F.R. § 1.98)
	Form PTO-1449 (PTO/SB/08A and 08B)
X	Citations
	Declaration of Biological Deposit
	Submission of "Sequence Listing," computer readable copy and/or amendment pertaining thereto for biotechnology invention containing nucleotide and/or amino acid sequence
	Authorization of Attorney(s) to Accept and Follow Instructions from Representative
	Special Comments
	Other
5. De	claration or oath (including power of attorney)
NOTE:	A newly executed declaration is not required in a continuation or divisional application provided that the prior nonprovisional application contained a declaration as required, the application being filed is by all or fewer than all the inventors named in the prior application, there is no new matter in the application being filed, and a copy of the executed declaration filed in the prior application (showing the signature or an indication thereon that it was signed) is submitted. The copy must be accompanied by a statement requesting deletion of the names of person(s) who are not inventors of the application being filed. If the declaration in the prior application was filed under § 1.47, then a copy of that declaration must be filed accompanied by a copy of the decision granting § 1.47 status or, if a nonsigning person under § 1.47 has subsequently joined in a prior application, then a copy of the subsequently executed declaration must be filed. See 37 C.F.R. §§ 1.63(d)(1)-(3).
NOTE:	A declaration filed to complete an application must be executed, identify the specification to which it is directed, identify each inventor by full name including family name and at least one given name, without abbreviation together with any other given name or initial, and the residence, post office address and country or citizenship of each inventor, and state whether the inventor is a sole or joint inventor. 37 C.F.R. § 1.63(a)(1)-(4).
NOTE:	"The inventorship of a nonprovisional application is that inventorship set forth in the oath or declaration as prescribed by § 1.62, except as provided for in § 1.53(d)(4) and § 1.63(d). If an oath or declaration as prescribed by § 1.63 is not filed during the pendency of a nonprovisional application, the inventorship is that inventorship set forth in the application papers filed pursuant to § 1.53(b), unless a petition under this paragraph accompanied by the fee set forth in § 1.17(l) is filed supplying or changing the name or names of the inventor or inventors." 37 C.F.R. § 1.41(a)(1).
	□ Enclosed
	Executed by
	(check all applicable boxes)
	<ul> <li>□ inventor(s).</li> <li>□ legal representative of inventor(s). 37 C.F.R. §§ 1.42 or 1.43.</li> <li>□ joint inventor or person showing a proprietary interest on behalf of inventor who refused to sign or cannot be reached.</li> </ul>
☐ This C.F.	is the petition required by 37 C.F.R. § 1.47 and the statement required by 37 R. § 1.47 is also attached. See item 13 below for fee.
⊠ Not	Enclosed

NOTE	th m F(	e u.s ay be	the filing is a completion in the U.S. of an International Application or where the completion of application contains subject matter in addition to the International Application, the application treated as a continuation or continuation-in-part, as the case may be, utilizing ADDED PAGE IEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRIOR U.S. APPLICATION ED.
			Application is made by a person authorized under 37 C.F.R. § 1.41(c) on behalf of <i>all</i> the above named inventor(s).
(The	e ded	clara	ntion or oath, along with the surcharge required by 37 C.F.R. § 1.16(e) can be filed subsequently).
			☐ Showing that the filing is authorized.  (not required unless called into question. 37 C.F.R. § 1.41(d))
6. in	vent	tors	hip Statement
WARN	ING:	ow	he named inventors are each not the inventors of all the claims an explanation, including the nership of the various claims at the time the last claimed invention was made, should be omitted.
The in	vent	orsh	ip for all the claims in this application is:
	Th	e sa	ame.
			or
	No at	t the	e same. An explanation, including the ownership of the various claims ime the last claimed invention was made,
		is s	submitted.
		wil	l be submitted
7. La	ngu	age	
NOTE:	requ	⊏ngıı uired	cation including a signed oath or declaration may be filed in a language other than English. ish translation of the non-English language application and the processing fee of \$130.00 by 37 C.F.R. § 1.17(k) is required to be filed with the application, or within such time as may of the Office. 37 C.F.R. § 1.52(d).
	$\boxtimes$		English Non English
			The attached translation includes a statement that the translation is accurate. 37 C.F.R. § 1.52(d).
B. As	sign	mei	nt
	X	An	assignment of the invention to <u>Nokia Mobile Phones Ltd.</u>
			is attached. A separate □ "COVER SHEET FOR ASSIGNMENT (DOCUMENT) ACCOMPANYING NEW PATENT APPLICATION" or □ FORM PTO 1595 is also attached. will follow.
VOTE.	"If a	an as licatio	signment is submitted with a new application, send two separate letters-one for the n and one for the assignment." Notice of May 4, 1990 (1114 O.G. 77-78)

(New Application Transmittal [4-1] page 5 of 11)

WARNING:	A newly e continuatio	executed " n-in-part ap	CERTIFICATE oplication is filed	UNDER by an as:	37 C.F.R. § 3.7 signee. Notice of A	3(b)" must bo April 30, 1993,	e filed when a 1150 OG 62-64.
☐ This is the par	a □ cont ent applica	inuation ation 0 /	□ divisional	applica _ was fi	tion and the a	ssignment o	document for
9. Certifie	ed Copy						
Certifie	d copy(ies	) of appli	cation(s)				
	Kingdom		00	24204.0	)	Oct	ober 3, 2000
Country	/		Ap	pln. No	•		Filed
Country	1		Ap	pln. No		·	Filed
from which	priority is o	claimed:					
	is (are) at will follow						
NOTE: This U.S. § 12 PAG APP	item is for a. application of o is itself ent. ES FOR LICATION(S.	ny foreign por Internation itled to prio NEW API CLAIMED 37 C.F.R	b(a) and 1.63.  briority for which  anal Application if  the prior a prior if  CLICATION TR   1. § 1.16)	the apple from whice foreign ar	m for priority must ication being filed h this application c oplication, then con TAL WHERE B	directly relates laims benefit u	s. If any parent inder 35 U.S.C
A. ⊠ 	Regui	ar applic	CLAIMS	AS FIL	FD.		
				7.011			
Number filed	<del>j</del>		Number Ex	tra	Rate	37 C.F.R	c Fee R. § 1.16(a) 0.00
Total Claims (37 C.F.R. §		-33 =	13	×	\$18.00 =		004.00
Independent (37 C.F.R. §		-2 =	0		000.00		234.00
	1.10(0))	- 2 -	0	Х	\$80.00 =		
Multiple depe f any (37 C.				+	\$260.00		
	Amendmei	nt deletin	ing extra clai g multiple-de is not being	penden	cies is enclose	d.	
amen	ument, prior in any notice	to the expl	ration of the time iciency. 37 C.F.F	e period s	ney must be paid set for response by d).	the Patent ar	nd Trademark
	r mily r	ee Calci	aiau0f1	Δ.	low Analis-stee =	\$	944.00
				(1)	lew Application Tra	ansmittal [4-1]	page 6 of 11)

В	. <b></b>	Design applicat (\$310.00 – 37 0	ion C.F.R. § 1.16(f))	
		(,	Filing Fee Calculation	\$
С	. 🗆	Plant application	_	
	(\$4	80.00 - 37 C.F.R	. § 1.16(g))	
			Filing Fee Calculation	\$
11. Small	Entit	ty Statement(s)		
□ St is	tateme (are)	ent(s) that this is attached.	a filing by a small entity un	nder 37 C.F.R. §§ 1.9 and 1.27
WARNING:	the saffectinding The (includent application) application or includent the continuentity or includent the continuentity after the saffection of the continuentity after the saffection of the continuent	status is available and the any other application of an application of an application rectiling a continued placetion requires a new properties of the prisue application including a copy of the prisues at a copy of the prisus at the prisue application including is still proper and discrept application of the prisues a copy of the prisus at the prisus application including a copy of the prisus at the prisu	Id desired. Status as a small entity ion or patent, including application or patent in whation under § 1.53 as a continuor osceution application under § v determination as to continued entication. A nonprovisional application of a prior application, or or application or in the patent if less a reference to the statement in statement in the prior application.	in each application or patent in which y in one application or patent does not ions or patents which are directly or inch the status has been established ation, division, or continuation-in-part 1.53(d)), or the filing of a reissue ntitlement to small entity status for the ation claiming benefit under 35 U.S.C. a reissue application may rely on a the nonprovisional application or the in the prior application or in the patent or in the patent and status as a small entity basic statutory filing fee will be 7 C.F.R. § 1.28(a)(2).
WARNING:	state	ement can <b>unequivo</b> 2, July 1996 (emphas	<b>cally</b> make the required self-certi sis added).	person or persons signing the iffication." M.P.E.P., § 509.03, 6 <sup>th</sup> ed.,
	_		omplete the following, if app	•
			l entity was claimed in prior	• •
		benefit is being o	, filed on claimed for this application (	, from which under:
		35 U.S.C. § 1 1 1	• •	
			f the statement in the prior	•
		Filing Fe	e Calculation (50% of <b>A</b> , <b>B</b> ,	or <b>C</b> above)
			\$	
TI.	ilea witi	ess of the full fee pa hin 2 months of the ble under § 1.136. 37	date of timely payment of a full	v statement and a refund request are I fee. The two-month period is not
12. Reques	st for	International-Ty	pe Search (37 C.F.R. § 1.	104(d))
		(	complete, if applicable)	
□ Ple whe	ase p en nat	repare an international examinatio	ational-type search report for n on the merits takes place	or this application at the time
			(New Applic	ation Transmittal [4-1] page 7 of 11)

×	a No	ot Enclosed	
		No filing fee is to be paid at this time. (This and the surcharge required by 37 C.F.R. § 1.16(e) subsequently.)	can be paid
	l En	closed	
		Filing fee	\$
		Recording assignment (\$40.00 – 37 C.F.R. § 1.21(h)) (See attached "COVER SHEET FOR ASSIGNMENT ACCOMPANYING NEW APPLICATION.")	\$
		Petition fee for filing by other than all the inventors or person on behalf of the inventor where inventor refused to sign or cannot be reached.  (\$130.00 - 37 C.F.R. §§ 1.47 and 1.17(i))	\$
		For processing an application with a specification in a non-English language (\$130.00; 37 C.F.R. §§ 1.52(d) and 1.17(k))	\$
		Processing and retention fee (\$130.00, 37 C.F.R. §§ 1.52(d) and 1.21(l))	\$
		Fee for international-type search report (\$40.00; 37 C.F.R. § 1.21(e))	\$
NOTE:	tor to to 3 appl	C.F.R. § 1.21(I) establishes a fee for processing and retaining any applicalling to complete the application pursuant to 37 C.F.R. § 1.53(f) and this 7 C.F.R. §§ 1.53 and 1.78(a)(1), indicate that in order to obtain the lication, either the basic filing fee must be paid, or the processing and I to be paid, within 1 year from the notification under § 53(f).	s, as well as the changes henefit of a prior U.S.
	Tot	al fees enclosed	\$
14. Me	thod	of Payment of Fees	
	Atta	ached is a □ check □ money order in the amount of \$	
		horization if hereby made to charge the amount of \$	
		to Deposit Account No	
		to credit card as shown on the attached credit card info authorization form PTO-2038	ormation
	Cha the	rge any additional fees required by this paper or credit any manner authorized above. A duplicate of this transmittal is	overpayment in sattached.
NOTE:	Fees C.F.I	s should be itemized in such a manner that it is clear for which purpos R. § 1.22(b).	e the fees are paid. 37

13. Fee Payment Being Made at This Time

(New Application Transmittal [4-1] page 8 of 11)

# 15. Authorization to Charge Additional Fees

WARNING.	: If no fees are to be paid on filing, the following items should <u>not</u> be completed.
WARNING:	<ul> <li>Accurately count claims, especially multiple dependent claims, to avoid unexpected hig charges, if extra claim charges are authorized.</li> </ul>
	The Commissioner is hereby authorized to charge the following additional fees by this paper and during the entire pendency of this application to Account No
	☐ 37 C.F.R. § 1.16(a), (f), or (g) (filing fees) ☐ 37 C.F.R. § 1.16(b), (c), and (d) (presentation of extra claims)
pı tir m	ecause additional fees for excess or multiple dependent claims not paid on filing or on late resentation must only be paid or these claims canceled by amendment prior to the expiration of the me period set for response by the P.T.O. in any notice of fee deficiency (37 C.F.R. § 1.16(d)), it is to be set not to authorize the P.T.O. to charge additional claim fees, except possibly when ealing with amendments after final action.
	☐ 37 C.F.R. § 1.16(e) (surcharge for filing the basic filing fee and/or declaration on a date later than the filing date of the application)
	☐ 37 C.F.R. § 1.17(a)(1)-(5) (extension fees pursuant to § 1.136(a))
	□ 37 C.F.R. § 1.17 (application processing fees)
WARNING:	"A written request may be submitted in an application that is an authorization to treat any concurrent or future reply, requiring a petition for an extension of time under this paragraph for its timely submission, as incorporating a petition for extension of time for the appropriate length of time. An authorization to charge all required fees, fees under § 1.17, or all required extension of time fees will be treated as a constructive petition for an extension of time in any concurrent or future reply requiring a petition for an extension of time under this paragraph for its timely submission. Submission of time in any concurrent reply requiring a petition for an extension of time under this paragraph for its timely submission." 37 C.F.R. § 1.136(a)(3).
	☐ 37 C.F.R. § 1.18 (issue fee at or before mailing of Notice of Allowance, pursuant to 37 C.F.R. § 1.311(b))
NOTE: W	nere an authorization to charge the issue fee to a deposit account has been filed before the mailing

NOTE: Where an authorization to charge the issue fee to a deposit account has been filed before the mailing of a Notice of Allowance, the issue fee will be automatically charged to the deposit account at the time of mailing the Notice of Allowance. 37 C.F.R. § 1.311(b).

NOTE: 37 C.F.R. § 1.28(b) requires "Notification of any change in status resulting in loss of entitlement to small entity status must be filed in the application . . . prior to paying, or at the time of paying, . . . issue fee." From the wording of 37 C.F.R. § 1.28(b), (a) notification of change of status must be made even if the fee is paid as "other than a small entity" and (b) no notification is required if the change is to another small entity.

Customer No. **004955** 

## 16. Instructions as to Overpayment

NOTE:	reas	Amounts of twenty-five dollars or less will not be returned unless specifically requested within a assonable time, nor will the payer be notified of such amounts; amounts over twenty-five dollars may returned by check or, if requested, by credit to a deposit account." 37 C.F.R. § 1.26(a).	
		Credit Account No	
		Refund	
		_	
<b>.</b>	4	gust 28, 2001 SIGNATURE OF PRACTITIONER	
Date:		gust 28, 2001 SIGNATURE OF PRACTITIONER	ىر
Reg. N	o. <b>3</b>	31,391	
Tel. No	. (20	3) 261-1234 Francis J. Maguire	
		(type or print name of practitioner	
		Ware, Fressola, Van Der Sluys <u>&amp; Adolphson, LLP</u>	
		P.O. (Correspondence) Address	
S		Building Five, Bradford Green 755 Main Street, P.O. Box 224 Monroe, CT 06468	

Ш	ine	corporation by reference of added pages			
	(check the following item if the application in this transmittal claims the benefit of process. application(s) (including an international application entering the U.S. stage as continuation, divisional or C-I-P application) and complete and attach the ADDE PAGES FOR NEW APPLICATION TRANSMITTAL WHERE BENEFIT OF PRICU.S. APPLICATION(S) CLAIMED.)				
		Plus Added Pages for New Application Transmittal Where Benefit of Prior U.S. Application(s) Claimed			
		Number of pages added			
		Plus Added Pages for Papers Referred to in Item 4 Above			
		Number of pages added			
		Plus added pages deleting names of inventor(s) named in prior application(s) who is/are no longer inventor(s) of the subject matter claimed in this application.			
		Number of pages added			
		Plus "Assignment Cover Letter Accompanying New Application"			
		Number of pages added			
	Sta	tement Where No Further Pages Added			
		(if no further pages form a part of this Transmittal, then end this Transmittal with this page and check the following item.			
	X	This transmittal ends with this page.			